

Serial No.: 10/621,115

### REMARKS

Claims 1-52 are pending in this application. Claims 1, 18, 35, and 52 are the independent claims, and each has been amended herein.

Claims 1, 3-4, 6-8, 11, 35, 37-38, 40-42, and 45 stand rejected as anticipated by Li; Claims 1-2, 5-8, 35-36, 39-42 and 45 stand rejected as anticipated by Kasahara; Claims 1-3, 5-8, 11-12, 14-16, 18-20, 22-25, 28, 30-31, 33-37, 39-42, 45-46 and 49-50 and 52 stand rejected as anticipated by Ikoma; and Claims 1-4, 18-21 and 35-38 stand rejected as anticipated by Gerstel. Claims 9-10 and 43-44 stand rejected as unpatentable over Li in view of Trischitta; Claims 9-10, 26-27 and 43-44 stand rejected as unpatentable over Ikoma in view of Trischitta; Claims 13, 29 and 47-48 stand rejected as unpatentable over Ikoma in view of Yu; and Claims 17, 32 and 51 stand rejected as unpatentable over Ikoma in view of Ransford.

In view of the foregoing amendments and the following discussion, each of the above rejections is hereby respectfully traversed and reconsideration is requested.

Independent Claim 1, as amended herein, is directed to an optical transmission span, in an optical transmission system having an optical transmission terminal with first and second optical interfaces the first interface being configured to communicate in accordance with an industry-standard, network level protocol, the second interface being configured to communicate in accordance with a first optical layer protocol, including an optical interface device. The optical interface device includes a third interface *configured to communicate* with the second interface of the optical transmission terminal in accordance with the first optical layer protocol, *the optical transmission terminal including at least one transponder and other components necessary to communicate signals generated by said at least one transponder over a transmission line*, a fourth interface configured to communicate in accordance with a second optical layer protocol, a signal processing unit for transforming optical signals between the first and second optical layer protocols and a test system is coupled to the signal processing unit for monitoring optical signal quality. An optical transmission path is optically coupled to the fourth optical interface of the optical interface device for transmitting optical signals in accordance with the second optical layer protocol.

Serial No.: 10/621,115

Independent Claims 18 and 35 have been similarly amended.

In the Advisory Action, the Examiner noted (page 2) that ‘a claimed invention is not patentable if the only difference between the claimed invention and the prior art is the name of a component’, and that the ‘transponder 4 of Gerstel has all the functionality of the optical transmission terminal as recited in the claim’.

Applicants’ respectfully submit that in the claimed invention, the optical interface device has a third interface, ‘configured to’ communicate with the second interface of the optical transmission terminal – the optical transmission terminal including at least one transponder and other components necessary to communicate signals generated by the transponder over a transmission line. That is – the amended claim expressly defines how the “third interface” works or is “configured to communicate” with such an optical transmission terminal – this is an expressly recited claim element – and is not taught or suggested by Gerstel or the other previously cited art.

While Gerstel, as well as Li, Kasahara, Ikoma and Trischitta, certainly show a variety of interfaces and optical layer protocols, these interfaces and protocols are not those set forth in the claims of the present invention, as amended herein. None of the references, alone or in combination, show or suggest the very particular combination of interfaces and protocols recited in the claims as amended herein. For this reason, it is respectfully requested that the rejection of the claims under 35 U.S.C 102(e) and/or 103(a) be reconsidered and withdrawn.

Independent Claim 52 is believed to be allowable for the following additional reasons, which are independent of those presented above. Claim 52 sets forth that the optical interface device is operable with a variety of different optical transmission terminals that employ different proprietary optical transport layer protocols – and has been amended to expressly recite that the second optical interfaces are differently configured interfaces.

Ikoma fails to teach or suggest a plurality of different optical transmission terminals, each with first and second optical interfaces, *the second optical interfaces being differently configured interfaces.*

Serial No.: 10/621,115

**Conclusion**

In view of the foregoing, it is believed that the application is in condition for allowance and early passage of this case to issue is respectfully requested. If the Examiner believes there are still unresolved issues, a telephone call to the undersigned would be welcomed.


**Request for Examiner Interview**

Applicants' undersigned representative respectfully requests an interview with the Examiner prior to issuance of a first Action, and may be reached at the telephone number listed below

**Fees**

Any fees due and owing in respect to this amendment may be charged to the undersigned attorney's PTO deposit account number 50-1047.

Respectfully submitted,

  
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